IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 238 of 2005 (S/S)

Harvind Pal Singh
S/o Sri Chokhe Lal Pal,
R/o T-105, Shivaik Nagar
B.H.E.L., Haridwar
District Haridwar. ……. Petitioner

Versus

1. **Managing Director Equipment Plant,**
   B.H.E.L. Ranipur, Haridwar
   Uttaranchal.
2. **Varisht Karyapalak Manav Sansadhan /Bharti**
   B.H.E.L. Ranipur, Haridwar
3. **Chairman & Managing Director**
   B.H.E.L., BHEL House
   Siri Fort, New Delhi.

…….. Respondents

Mr. Dharmesh Kumar & Laxman Kumar, learned counsel for the petitioner
Mr. B.P. Nautiyal, learned counsel for the respondents.

Hon'ble Prafulla C. Pant, J.

Heard learned counsel for the petitioner and learned counsel for the respondents.

2) By means of this petition, the petitioner has sought mandamus for issuance of entrance card to appear in the examination for the post of 'Fitter' scheduled to be held on 13th March 2005.

3) Learned counsel for the petitioner submits that his candidature was wrongly rejected by the respondents as he has submitted his application for the post of 'Fitter' in response to the advertisement issued alongwith the necessary formalities. However, learned counsel for the respondents pointed out that copy of the advertisement which is annexed as Annexure- 1 to the writ petition itself shows that the petitioner was required to

annex certificate as to his being member of the 'Other Backward Caste' issued on or after 1st May 2004. The petitioner relied on the certificated issued to him in the year 1996 by Tehsildar Bahedi (Bareilly). This certificate is annexed as Annexure- 5 to the writ petition. As such from the documents filed by the petitioner with the writ petition, itself show that the conditions required as per the advertisement were not fulfilled by the petitioner. As such, it cannot be said if the candidature of the petitioner was wrongly rejected by the respondents. In the circumstances, the petition appears to be devoid of merits. The same is dismissed in limine.

(Prafulla C. Pant, J.)

Dt. 11.03.2005
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